

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS

OCTOBER 15, 1980

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 15, 1980 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes (arrived 8:05 p.m.),  
McCarty, Murphy, Pinkerton,  
and Katnich (Mayor)

Absent: Councilmen - None

Also

Present: City Manager Graves, Assistant City  
Manager Glenn, Public Works Director  
Ronsko, Community Development Director  
Schroeder, City Attorney Stein, and  
City Clerk Reimche

INVOCATION

The invocation was given by Reverend Don Mulvihill,  
English Oaks Seventh Day Adventist Church

PLEDGE

Mayor Katnich led the pledge of allegiance to the  
flag.

PUBLIC HEARINGS

APPEAL OF WILLIAM  
E. RUFF OF THE  
PLANNING  
COMMISSION'S  
DENIAL OF HIS  
REQUEST FOR A  
VARIANCE TO  
PERMIT THE  
CONSTRUCTION OF  
A FOUR-PLEX AT  
1324 S. HUTCHINS  
STREET

Notice thereof having been published in accordance  
with law and affidavit of publication being on file  
in the office of the City Clerk, Mayor Katnich  
called for the Public Hearing to consider the  
appeal of Mr. William E. Ruff, P.O. Box 14, Lodi,  
of the Planning Commission's denial of his request  
for a variance to permit the construction of a  
four-plex at 1324 S. Hutchins Street, Lodi.

The matter was introduced by Community Development  
Director Schroeder who gave a brief report on the  
Planning Commission's actions in this matter  
and also presented diagrams of the subject area  
for Council's perusal.

Speaking on behalf of his appeal, was Mr. William  
E. Ruff, P.O. Box 14, Lodi. Mr. Ruff stated that  
he feels that this did constitute a "hardship"  
in that he does have the square footage required  
for a four-plex until you consider the footage  
which is required for dedication.

As there were no other persons in the audience  
wishing to speak on the matter, the public portion  
of the hearing was closed.

A very lengthy discussion followed with questions  
being directed by Council to Staff and to Mr.  
Ruff.

Mayor Pro Tempore McCarty moved that the variance  
be granted. The motion was seconded by Councilman  
Murphy. Additional discussion followed, with  
Councilman Murphy withdrawing his second and the  
motion died for lack of a second.

Additional discussion followed.

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Councilman Pinkerton then moved that Staff be directed to prepare a report on structures which had been constructed on South Hutchins Street for which variances were granted, further that the matter be referred to the Planning Commission for recommended changes or refinement to the subject ordinances, and finally that the matter again be placed on the agenda for the regular City Council meeting of December 17, 1980. The motion was seconded by Councilman Murphy and carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, and Pinkerton

Noes: Councilmen - Katnich

Absent: Councilmen - None

ORDER OF  
ABANDONMENT OF  
CLUFF AVENUE,  
NORTH OF TURNER  
ROAD ADOPTED

Notice thereof having been published and posted in accordance with law and affidavit of publication and posting being on file in the office of the City Clerk, Mayor Katnich called for the Public Hearing to consider the abandonment of Cluff Avenue, north of Turner Road, Lodi.

Councilman Pinkerton asked to abstain from discussion and voting on the matter, because of a possible conflict of interest.

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject area for Council's perusal.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Following Council discussion, with questions being directed to Staff, Council on motion of Mayor Katnich, Hughes second, adopted an Order of Abandonment of Cluff Avenue, north of Turner Road, conditioned upon the retaining of all necessary easements and that the City be provided with records of the required reciprocal agreements. The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, and Katnich

Noes: Councilmen - None

Abstain: Councilmen - Pinkerton

PLANNING COMMISSION City Manager Graves gave the following report regarding the Planning Commission meeting of October 13, 1980.

The Planning Commission -

ABANDONMENT OF  
CLUFF AVENUE NORTH  
OF TURNER RD.

1. Determined that no public need existed and recommended that Cluff Avenue north of the future right-of-way of Turner Road be abandoned.

ITEMS OF  
INTEREST

1. Conditionally approved the request of Terry Piazza, Baumbach and Piazza, Consulting Engineers on behalf of Sanguinetti and Arnaiz for a Tentative Parcel Map to create Parcels "A" and "B" from Lot 20 of the Moke-lumne Village Subdivision in an area zoned R-1, Single-Family Residential.

Continued October 15, 1980

2. Conditionally approved the request of Glen I. Baumbach, Baumbach and Piazza, Consulting Engineers, on behalf of KBS Construction for a Tentative Subdivision Map of Stonebrook Condominium Project located at 1780 South Hutchins Street in an area zoned R-MD, Medium Density Multiple Family Residential.

In a related matter the Planning Commission certified as adequate, the filing of a Negative Declaration by the Community Development Director on the Stonebrook Condominium Project.

3. Determined that noise control and Public Safety constituted the basis for a Zoning Hardship and approved the City of Lodi request for a Variance to increase the fence height in a residential zone from 6 feet to 8 feet for City Well No. 19 at 601 West Harney Lane in an area zoned P-D (4), Planned Development District No. 4.
4. Recommended that the San Joaquin County Planning Commission approve the request of the Church of Jesus Christ of the Latter Day Saints on behalf of the Estate of Anita Woock to subdivide a 51.63 area into two parcels. Parcel "A" to contain 6.00 acres, and Parcel "B" to contain 45.30 with .33 acres dedicated for street purposes on the north side of Harney Lane, west of the W.I.D. Canal.

#### COMMUNICATIONS

##### WILLOW OAKS SUBDIVISION

City Clerk Reimche presented a letter which had been received from Steve Weddell of Morton and Pitalo, Inc., requesting that in regards to the Willow Oaks Industrial Park Tentative Map that the cost of the extension of Turner Road as approved by the City Council September 17, 1980 be divided equally between Willow Oaks Industrial Park, Sanitary City and Frank Alegre Trucking. Following discussion, Council directed the City Clerk to agenda this item for the meeting of November 5, 1980.

##### JOINT MEETING TO BE HELD RE PROBLEM OF OVERCROWDED SCHOOLS IN NORTHERN PART OF SAN JOAQUIN COUNTY.

A letter was presented which had been received from Mrs. Laurel M. Wisenor, President of the Governing Board of the Lodi Unified School District, advising that because of severe pupil housing shortage, representatives of their governing board would like to meet with representatives of the Lodi City Council, Stockton City Council, and the Board of Supervisors to discuss the extent of the problem. The meeting is to be held at 7:30 p.m. on November 18, 1980, at Parklane School. It was determined that Councilman Murphy and Pinkerton will represent the City at this meeting.

##### STOP SIGNS ESTABLISHED AT VARIOUS STREETS INTERSECTING WITH VINE

City Clerk Reimche presented a letter which had been signed by 15 persons advising of their alarm of the increasing amount of traffic accidents on the corner of Vine and Pleasant and urging that Council establish the subject intersection as a 4-way stop intersection. Addressing the

RES. NO. 80-147

Continued October 15, 1980

Council on the matter was Mr. Stanley Tausant, 900 S. Pleasant, Lodi, who spoke on behalf of the request.

A lengthy discussion followed with questions regarding the request being directed to Staff.

On motion of Councilman Pinkerton, Katnich second, Council adopted Resolution No. 80-147 replacing "yield" signs with stop signs at Vine and Lee, and Vine and Pleasant Ave., and establishing stop signs at Vine and Sacramento Streets. The motion carried by the following vote:

Ayes: Councilmen - McCarty, Murphy, Pinkerton, and Katnich

Noes: Councilmen - Hughes

Absent: Councilmen - None

It was requested that these signs be put in place at the earliest possible time.

RELIEF SOUGHT  
FROM PROPERTY  
OWNERS RE  
EXCESSIVE SPEED  
ON HAM LANE

Mayor Katnich presented a letter which had been received from Mr. and Mrs. Chris Panagos, 2415 South Ham Lane, Lodi, advising that they had purchased their home approximately two years ago. They further advised that a group of neighboring homeowners collected 200 signatures on a petition, which had been presented to the City Council in hopes a decision could be obtained regarding the excessive speeding on Ham Lane. Action by the City Council regarding the previous request was solicited by Mr. and Mrs. Panagos in the concluding remarks of the letter. No action was taken by the City Council on the matter.

COMMENTS BY  
CITY COUNCILMEN

"FIELD AND FAIR  
DAY" HUGE  
SUCCESS

Following introduction of the matter by Councilman Pinkerton, the Council as a whole applauded all those responsible for making "Field and Fair Day" such an outstanding success.

REPORTS OF  
THE CITY  
MANAGER

In accordance with reports and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Murphy, Hughes second, were approved by the City Council.

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CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,457,118.27.

MINUTES

THE MINUTES OF SEPTEMBER 17, 1980 WERE APPROVED AS WRITTEN AND MAILED.

SALAS PARK  
IMPROVEMENTS  
SPRINKLERS  
AND TURFING

City Manager Graves presented the following bids which had been received for "Salas Park Improvements - Sprinklers and Turfing":

RES. NO. 80-135

BIDDER	BID
B. & V. Landscaping, Inc.	\$117,960.00
Biundo Landscaping	\$119,859.00
J. & R. Landscaping	\$124,489.00
Consolidated Landscaping	\$127,487.00
Navarette Landscaping	\$146,305.00
Karleskint-Crum	\$150,736.00
Singh Landscaping	\$152,930.00
Ken Owen Landscaping	\$155,000.00

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<u>BIDDER</u>	<u>BID</u>
Valley Crest Landscape	\$166,700.00
Talini Landscaping	\$168,648.00

Following recommendation of City Manager Graves,  
Council adopted the following Resolution:

## RESOLUTION NO. 80-135

RESOLUTION AWARDING THE CONTRACT FOR "SALAS  
PARK IMPROVEMENTS - SPRINKLERS AND TURFING"  
TO B. & V. LANDSCAPING, INC., THE LOW BIDDER,  
IN THE AMOUNT OF \$117,960.00

KETTLEMAN LANE  
SANITARY SEWER  
W.I.D. CANAL TO  
230' E/W.I.D.  
CANAL

City Manager Graves presented the following  
bids which had been received for "Kettleman  
Lane Sanitary Sewer - W.I.D. Canal to 230'  
E/W.I.D. Canal":

RES. NO. 80-136

<u>BIDDER</u>	<u>BID</u>
Wayne Fregien	\$62,561.00
D.A. Parrish, Inc.	\$65,178.00
Crutchfield Construction	\$80,053.00
Silva & Silva Underground	\$80,236.00
W.M. Lyles Co.	\$80,970.00
Claude C. Wood Company	\$103,858.00
Arnold Zwankhuze	\$120,630.00
Burke Oilfield Construction Bid Proposal	

Following recommendation of the City Manager, Improperly Submitted  
Council adopted the following Resolution:

## RESOLUTION NO. 80-136

RESOLUTION AWARDING THE BID FOR KETTLEMAN LANE  
SANITARY SEWER - W.I.D. CANAL TO 230' E/W.I.D.  
CANAL TO WAYNE FREGIEN, THE LOW BIDDER, IN THE  
AMOUNT OF \$62,561.00

AWARD - ASPHALT  
MATERIALS  
SECOND  
QUARTER F.Y.  
1980-81

City Manager Graves presented the following bids  
which had been received for Asphalt Materials  
for Second Quarter Fiscal Year 1980-81:

## BIDS FOR ASPHALT MATERIALS

RES. NO. 80-137

## ITEM NO. 1

Dense Grade Asphalt Concrete, Type B 3/8".  
Asphalt Binder shall be Viscosity Grade AR-4000  
Paving Asphalt.

Supplier: Claude C. Wood Co., Clements

	A
	F.O.B. Plant
	(300 Tons)
Cost per ton including tax	\$21.20
Plus: City cost for mileage	3.32
TOTAL	\$24.52

	B
	Stockpile
	City Limits
	(100 Tons)
Cost per ton including tax	\$24.115
Plus: City cost for mileage	
TOTAL	\$24.115

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	C Hopper of Paver (200 Tons)
Cost per ton including tax	\$25.705
Plus: City cost for mileage	<u>4.56</u>
TOTAL	<u>\$25.705</u>

Supplier: Granite Construction Co., Stockton

	A F.O.B. Plant (300 Tons)
Cost per ton including tax	\$20.35
Plus: City cost for mileage	<u>4.56</u>
TOTAL	<u>\$24.91</u>

	B Stockpile City Limits (100 Tons)
Cost per ton including tax	\$23.69
Plus: City cost for mileage	<u>4.56</u>
TOTAL	<u>\$23.69</u>

	C Hopper of Paver (200 Tons)
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NO BID

## ITEM NO. 2

Dense Grade Asphalt Concrete, Type B, 1/2".  
Asphalt Binder shall be Viscosity Grade AR-4000  
Paving Asphalt.

Supplier: Claude C. Wood Co., Clements

	A F.O.B. Plant (50 Tons)
Cost per ton including tax	\$20.935
Plus: City cost for mileage	<u>3.32</u>
TOTAL	<u>\$24.255</u>

	B Stockpile City Limits (50 Tons)
Cost per ton including tax	\$23.85
Plus: City cost for mileage	<u>4.56</u>
TOTAL	<u>\$23.85</u>

	C Hopper of Paver (50 Tons)
Cost per ton including tax	\$25.44
Plus: City cost for mileage	<u>4.56</u>
TOTAL	<u>\$25.44</u>

Continued October 15, 1980

Supplier: Granite Construction Co., Stockton

A  
F.O.B. Plant  
(50 Tons)

Cost per ton including tax	\$19.82
Plus: City cost for mileage	4.56
TOTAL	<u>\$24.38</u>

B  
Stockpile  
City Limits  
(50 Tons)

Cost per ton including tax	\$23.16
Plus: City cost for mileage	
TOTAL	<u>\$23.16</u>

C  
Hopper Of Paver  
(50 Tons)

NO BID

Following recommendation of the City Manager,  
Council adopted the following resolution:

## RESOLUTION NO. 80-137

RESOLUTION AWARDING THE BID FOR ASPHALT MATERIAL  
FOR THE SECOND QUARTER OF THE FISCAL YEAR  
1980-81 AS FOLLOWS:

Claude C. Wood Co., Clements	Item No. 1 A & C
	Item No. 2 A & C

Granite Construction Co., Stockton	Item No. 1 B
	Item No. 2 B

ACCESS RIGHTS  
APPROVED  
1700 S. CHEROKEE  
LANE

RES. NO. 80-138

Council was advised that when the Division of Highways relinquished Cherokee Lane to the City of Lodi, they also gave to the City certain access rights in the area south of Vine Street. In order to have a legal access, it is necessary for property owners to either use the driveway originally granted by the Division of Highways, or get approval from the City Council changing the location or adding to those driveways.

Staff advised that a request has been received from Robert R. and Paul C. Wondries for driveways at 1700 S. Cherokee Lane to provide access to his new Honda development. Staff feels that the request is reasonable, and are recommending that a resolution be adopted relinquishing one driveway and approving two new driveways.

## RESOLUTION NO. 80-138

RESOLUTION GRANTING TWO 30' DRIVEWAYS AT 1700  
S. CHEROKEE LANE, LODI

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APPROVAL LODI  
DOOR, INC.,  
DEVELOPMENT  
AGREEMENT

Councilman Pinkerton asked to abstain from discussion and voting on the following item, because of a possible conflict of interest.

Council was apprised that Lodi Door, Inc., has furnished the City with the improvement plans, as well as the necessary agreements, guarantees, easements, deeds and development fees. The improvements under this agreement include the street work on Cluff Avenue. Utility extensions and street work on Victor and Mounce Street are being done under an encroachment permit.

COUNCIL APPROVED THE DEVELOPMENT AGREEMENT FOR LODI DOOR, INC. - 1220 E. VICTOR ROAD, LODI, AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE DOCUMENT ON BEHALF OF THE CITY. The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, Murphy, and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Pinkerton

HIGHWAY 12/W.I.D.  
BRIDGE WIDENING  
AGREEMENT  
APPROVED.

RES. NO. 80-139

On September 17, 1980, the City Council directed staff to work with CalTrans to have the Highway 12 bridge at W.I.D. Canal widened to ultimate width rather than the minor widening proposed by the State. Council also appropriated \$164,000 from the City's TDA funds to pay for the work. CalTrans has prepared a cooperative agreement for the City's approval. The State will design, inspect and administer the additional widening work at no cost to the City. The City will be responsible for the cost of construction and any unnecessary utility relocation work if it is determined such relocation is not the utility's obligation.

COUNCIL ADOPTED RESOLUTION NO. 80-139 APPROVING THE COOPERATIVE AGREEMENT BETWEEN THE CITY AND CALTRANS COVERING THE WIDENING OF THE HIGHWAY 12 BRIDGE CROSSING THE W.I.D. CANAL TO THE ULTIMATE WIDTH, AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

APPROVAL OF S.P.  
STREET AGREEMENT  
FOR PINE STREET,  
MAIN TO  
SACRAMENTO

RES. NO. 80-140

A proposed street easement on Pine Street between Main and Sacramento Streets for the purpose of installing the forth-coming traffic signal system at the intersection of Pine Street and Sacramento Street was presented for Council's approval. This easement, Council was advised, will also allow the City to do additional approach improvements as required under the PUC's ruling on the grade crossing closures.

Following recommendation of Staff, Council adopted the following Resolution:

RESOLUTION NO. 80-140

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A STREET EASEMENT AGREEMENT WITH THE SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR PINE STREET BETWEEN MAIN AND SACRAMENTO STREETS

Continued October 15, 1980

SULLIVAN OAKS  
SUBDIVISION  
MAP APPROVED

The City Council was apprised that the Sullivan Oaks Subdivision, which is a two lot condominium subdivision comprised of eight separately owned condominium units in a common area in each lot. The off-site improvements were installed as part of the agreement with Winchester Acres Subdivision, and the final map is being filed to conform to the legal requirements of condominium projects. No subdivision agreement nor improvement securities are required.

COUNCIL APPROVED THE FINAL MAP FOR SULLIVAN OAKS SUBDIVISION, AND DIRECTED THE CITY CLERK TO SIGN THE SUBDIVISION MAP ON BEHALF OF THE CITY.

APPROVAL OF  
WINCHESTER OAKS  
SUBDIVISION  
AGREEMENT AND  
MAP

Council was informed that Clark and McGrath Construction Company, the developer of Winchester Oaks, has furnished the City with the final map and the subdivision improvement plans, as well as the necessary agreement, improvement securities, insurance certificate and development fees for the Winchester Oaks Subdivision and it is in order for the City Council to approve the subject documents. This subdivision is a resubdivision of a portion of Winchester Acres, located at the northwest corner of Hutchins Street and Harney Lane. It consists of six lots, which will contain approximately 122 condominium units and common areas.

COUNCIL APPROVED THE FINAL MAP AND THE IMPROVEMENT SECURITIES FOR WINCHESTER OAKS SUBDIVISION AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY.

SPECS FOR  
VIBRATORY TANDEM  
ROLLER APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR ONE VIBRATORY TANDEM ROLLER AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

LEASE PURCHASE  
AGREEMENT OF  
ONE TON PAINT  
TRUCK  
APPROVED

COUNCIL AUTHORIZED THE CITY MANAGER TO ENTER INTO A LEASE PURCHASE AGREEMENT IN THE AMOUNT OF \$25,741 WITH WHITTAKER CHEMICALS & COATINGS COMPANY, LOS ANGELES, CA, FOR THE PURCHASE OF A ONE TON PAINT TRUCK EQUIPPED WITH STENCIL RACK AND HYDRAULIC PAINTING SYSTEM.

PASSENGER  
LOADING ZONE  
LINCOLN SCHOOL  
ABANDONED

RES. NO. 80-141

City Manager Graves apprised the City Council that it is staff's recommendation that a passenger loading zone on the south side of Pine Street west of Cherokee Lane be abandoned. This zone was established a number of years ago and is no longer being used for the purpose it was intended (curbside loading and unloading of small children attending Lincoln School). Since the school is now being used by adults, it appears advantageous to remove the zone and convert the curb space into needed on-street parking stalls. The school district has been contacted and has no objections with the removal. On recommendation of City Manager Graves, Council adopted the following resolution:

RESOLUTION NO. 80-141

RESOLUTION ABANDONING A PASSENGER LOADING ZONE ON THE SOUTH SIDE OF PINE STREET, WEST OF CHEROKEE LANE (LINCOLN SCHOOL)

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SPECS FOR  
PURCHASE OF  
PARKING  
ENFORCEMENT  
VEHICLE  
APPROVED

COUNCIL APPROVED SPECIFICATIONS FOR THE PURCHASE  
OF A PARKING ENFORCEMENT VEHICLE AND AUTHORIZED  
THE PURCHASING AGENT TO ADVERTISE FOR BIDS  
THEREON.

\* \* \* \* \*

RECESS

Mayor Katnich declared a five minute recess, and  
the Council reconvened at approximately 9:35  
p.m.

VFW REQUESTS  
MUSIC BUILDING  
AT OLD LODI HIGH  
SCHOOL SITE BE  
DEDICATED AS  
VETERANS  
MEMORIAL HALL

Following a presentation by Mr. Pat Catanzarite,  
710 Louie Ave., Lodi, Council on motion of Council-  
man Hughes, Murphy second, took under advisement  
the offer received by Mr. Catanzarite on behalf  
of the Veterans of Foreign Wars to dedicate the Music  
Building located at the Old Lodi High School  
Site as a Veterans Memorial Hall, with the VFW  
pledging to refurbish the building for community  
use. Council desired to take the matter under  
consideration to see if it was possible to  
accomodate the request and assured the representa-  
tives of the VFW of their appreciation of the  
request and promised that the City would get  
back to them at the earliest possible date.

COUNCIL APPROVES  
RETAINING FIRMS FOR  
IMPLEMENTING THE  
DEVELOPMENT OF  
THE CENTRAL LODI  
BUSINESS AREA

Following a presentation by Walter Sanborn, Chairman  
of the Central Lodi Improvement Committee, Council,  
on motion of Councilman Hughes, Pinkerton second,  
authorized the Central Lodi Improvement Committee  
to negotiate to retain the following firms for  
implementing the development of the Central Lodi  
business area:

- a) Engineers for the project:  
Quad Consultants of Visalia
- b) Bond Counsel:  
Blewett, Garretson and Hachman, Inc.
- c) Investment Securities:  
Wulff, Hansen and Co. - John Talbot, Vice  
President, Lodi Office

EXTENSION AND/OR  
MODIFICATION TO  
RECREATIONAL OR  
CULTURAL  
SERVICES  
AGREEMENT WITH  
COUNTY FOR F.Y.  
80-81 APPROVED

A proposed extension and modification of the  
present Recreation Agreement between the County  
of San Joaquin and the City of Lodi was presented  
for Council's perusal. Under this agreement the  
County will contribute to the City for 1980-81  
Fiscal Year for this program the sum of \$18,114.00.

RES. NO. 80-142

Following discussion, on motion of Councilman  
Pinkerton, Hughes second, Council adopted  
Resolution No. 80-142 approving the extension and/or  
modification to Recreational or Cultural Services  
Agreement with the County of San Joaquin - F.Y.  
80-81 and authorized the Mayor and City Clerk to  
execute the Agreement on behalf of the City.

ANNEXATION  
PROPERTY TAX  
SHARES

Council was apprised that as a result of further  
negotiations, the following property tax sharing  
proposal is recommended to the City Council of  
the cities of Escalon, Lodi, Manteca, Ripon,  
Stockton, and Tracy and to the County Board of  
Supervisors:

RES. NO. 80-143

1. Upon annexation, the property tax given up  
by those Special Districts which would no  
longer provide services in the annexed area,  
would be added to the property tax allocated

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two amounts would become the total property tax base to be shared by the City of annexation and the County. The sharing ratio of this base as well as all future incremental growth, or decrease in growth, would be at the ratio of 36.6% to the City and 63.4% to the County. This is based upon an historical average ratio for the sharing of property taxes between the Cities and the County within the six Cities of San Joaquin County.

2. This ratio would also apply in the case of property annexations which at the time of annexation were exempt from property taxes, but which might, at a later date, provide property taxes.
3. This ratio would apply to all pending annexations, as well as all future annexations, completed during the term of this agreement (see paragraph 9).
4. This ratio will apply to all annexations which may have taken place since January of 1978, where an agreed upon property tax sharing formula has not yet been reached between the annexing City and the County.
5. The effective date of the sharing shall be determined as follows:
  - A. Annexations approved prior to January 1st of any calendar year shall share in property tax effective July 1st of that calendar year, except for the following:
  - B. All annexations initiated prior to January 1st 1980, shall share in property tax effective July 1st, 1980, except that
  - C. In no event will property tax be allocated to a City prior to the date that the City assumes responsibility for providing services in the annexed area.
6. In the case of the City of Stockton only, it is agreed that the City, at its option, and in lieu of the 36.6% ratio, may elect to receive a share of the property tax which represents the total amount of the Special Districts' share of property tax, which would be lost upon annexation, with the provision that the City will not share any of the County property tax base upon such annexation. The future incremental growth of property tax in the annexed area will thereafter be shared in the ratio equal to the initial tax base ratio as determined by the County share retained by the County and the City share derived from the Special District property tax loss. This option will apply only for annexations filed with LAFCO prior to January 1, 1980. Thereafter, the sharing ratio for all annexations for the City of Stockton shall be 36.6% to the City and 63.4% to the County.

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7. The City ratio shall include any apportionment of property tax revenue for Special Districts governed by the City.
8. The assessed valuation to be used by the County Auditor-Controller shall be the assessed valuation applicable to the fiscal year in which the application for jurisdictional change is submitted to LAFCO.
9. This agreement between the County and the City of \_\_\_\_\_ shall remain in effect through June 30, 1983, unless earlier terminated by the mutual agreement of the County and the City. The agreement may be terminated unilaterally by either the County or the City by giving six-months notice of an intended termination date which will occur on or after June 30, 1983. In the absence of termination, as herein provided, this contract shall remain in effect for an indefinite period.

Discussion followed with questions regarding the proposal being directed to Staff and to the City Attorney.

In addition a proposed Agreement for Property Tax Allocation Upon Annexation prepared in accordance with the provision set forth in the aforementioned proposal was presented for Council's perusal.

Following additional discussion, Council on motion of Councilman Pinkerton, Hughes second, adopted Resolution No. 80-143 authorizing the execution of an Agreement with the County of San Joaquin and the City of Lodi to Share Property Tax Revenues. The motion carried by unanimous vote.

RESOLUTION  
DETERMINING NO  
APPORTIONMENT OF  
PROPERTY TAX  
REVENUES IN  
WHITE SLOUGH  
WATER POLLUTION  
CONTROL PLANT  
NO. 2

Following introduction of the matter by City Manager Graves, Council on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 80-144. Resolution determining there to be no apportionment of property tax revenues in the White Slough Water Pollution Control Plant No. 2 Reorganization which consists of the annexation of City-owned non-contiguous Land into the City of Lodi.

RES. NO. 80-144

AWARD - WELL 19  
PUMP AND MOTOR

City Manager Graves presented the following bids which had been recieved for Well #19 Pump and Motor:

RES. NO. 80-145

BIDDER	BID
Western Well Drilling	\$21,335.00
E.E. Luhdorff Co.	\$21,615.00
Goehring Pump Co.	\$21,689.00
Subgrade Construction Co.	\$22,892.00
Automated Farm Systems	\$23,137.00
San Joaquin Pump Co.	\$26,661.36

Following recommendation of City Manager Graves, Council, on motion of Councilman Murphy, Pinkerton second, adopted Resolution No. 80-145 awarding the bid for Well #19 Pump and Motor to Western Well Drilling, the low bidder, in the amount of \$21,335.00.

Continued October 15, 1980

City Attorney Stein reported to the City Council that subsequent to the Council meeting of October 1, 1980, he had researched the law regarding the sale of surplus City property and found that there is no requirement that the City go to bid to sell surplus property, however, in order to be fair to all persons who might be interested in purchasing the same, it is his recommendation that the City do go to bidding procedure for the sale of surplus property at MSC and recommended that the following procedure be followed:

1. The City obtain an MAI appraisal on the property, the cost of which will be approximately \$500. to \$700.

The City Council should authorize the expenditure of the same for the appraisal.

2. Upon obtaining the appraisal, determine whether the City Council is interested in selling said property and at that time, pass a resolution of intention to sell said property, and in said resolution, the bidding procedure should be set forth.

A lengthy Council discussion followed with questions being directed to Staff.

Councilman Hughes moved that Council table further action on this matter. The motion died for lack of a second.

MAI APPRAISAL  
ORDERED FOR  
MSC PROPERTY

Further discussion followed with Mayor Pro Tempore McCarty moving that Staff be directed to have a MAI appraisal made of the MSC property at a cost of approximately \$500 to \$700. The motion was seconded by Councilman Murphy and carried by the following vote:

Ayes: Councilmen - McCarty, Murphy and Pinkerton

Noes: Councilmen - Hughes and Katnich

Absent: Councilmen - None

STATE TRANSIT  
ASSISTANCE  
APPLICATION

Assistant City Manager Glenn reported that there are State discretionary funds available which can be used to offset unexpected costs of fuel, to enhance existing transit systems and to establish additional services. Mr. Glenn further reported that there are two possible uses for these funds: One is to establish the fixed route system requested by LOEL Foundation; the other is to provide additional funds for the Dial-A-Ride system to offset additional costs of fuel and to offset the cost of additional hours of operation and the additional cab.

The assistance required for the Dial-A-Ride program is \$15,820 for 1980-81 and \$17,250 for 1981-82, a total of \$33,070.

The assistance required for the LOEL project will be \$13,200 for 1980-81 and \$24,660 for 1981-82, a total of \$37,860.

Council was requested to approve the forwarding of these applications to COG for their approval.

Continued October 15, 1980

A lengthy discussion followed with questions being directed to Staff. Council, on motion of Councilman Murphy, Hughes second, directed that this matter be continued to a future informal Informational Meeting of the City Council.

TRANSIT NEEDS  
ASSESSMENT  
PUBLIC HEARINGS  
SET

Following recommendation of Assistant City Manager Glenn, Council, on motion of Councilman Pinkerton, Murphy second, scheduled a public hearing for 3:00 p.m., November 19, 1980, at Hale Park and another public hearing in conjunction with the Council Meeting of November 19, 1980 to receive testimony and discuss unmet transit needs in the City of Lodi.

1980-81  
CAPITAL  
IMPROVEMENT  
PROGRAM

Following introduction of the matter by City Manager Graves and Council discussion, Council, on motion of Councilman Pinkerton, Katnich second, introduced Ordinance No. 1215 - City of Lodi Capital Improvement Program 1980-81 as set forth below:

ORD. NO. 1215  
INTRODUCED

PROJECTS	Total Cost	121 General Fund	17.1 Sewer Fund	17.2 Waste Water Capital	18.1 Water COR
Sanitary Sewers	\$166,700		\$31,700	\$135,000	
Storm Drainage	\$1,654,500	\$40,500			
Water System	\$380,500				\$380,500
Street System	\$2,273,000				
Other Facilities	\$151,800	\$88,500			
	<u>\$4,626,500</u>	<u>\$129,000</u>	<u>\$31,700</u>	<u>\$135,000</u>	<u>\$380,500</u>
Beginning Balance		\$496,807	\$263,566	\$351,245	\$57,806
Estimated Resources 79/80		\$374,920		\$354,160	
Budgeted/ Restricted					
Funds Available		\$871,627	\$263,566	\$705,405	\$57,806
Projects Budgeted		\$129,000	\$31,700	\$135,000	\$380,500

October 15, 1980

	33 2106 Gas Tax	123 Master Drain	124 SB 325 Fund	126 Urban D	Other
ge		\$1,025,000			\$510,000
n	\$18,000		\$1,291,000	\$452,000	\$512,000
ities					
ng ce	\$199,526	\$890,261	\$944,045	\$159,794	
ed rces )	\$175,170	\$195,860	\$787,165	\$292,206	\$1,022,000
ed/ ricted			\$54,585		
lable	\$374,696	\$1,086,121	\$1,676,625	\$452,000	\$1,022,000
ts geted	\$18,000	\$1,025,000	\$1,291,000	\$452,000	\$1,022,000

The motion carried by unanimous vote.

- TRACTOR - Assistant City Manager Glenn presented the bids  
R PARKS AND which had been received for a Tractor-Loader for  
ATION the Parks and Recreation Department as follows:  
TMENT

	<u>BIDDER</u>	<u>BID</u>
NO. 80-146		
	Stockton Ford Tractor	\$10,995.00
	Case Power and Equipment	\$15,804.92
	Donco, Inc. (2 bids)	\$17,000/\$18,000.

Council was apprised that the low bidder, Stockton Ford Tractor, does not meet the specifications on an item of major concern, the torque converter transmission. Considering the number of years the park division keeps a tractor and the City's history of clutch repairs, the torque converter transmission is deemed especially desirable. Therefore, it was the recommendation of Staff, that the award be made to Case Power and Equipment, the second low bidder.

Following discussion, on motion of Councilman Pinkerton, Murphy second, Council adopted Resolution No. 80-146 awarding the contract for a Tractor-Loader for the Parks and Recreation Department to the second low bidder, Case Power and Equipment Co., in the amount of \$15,804.92.

Continued October 15, 1980

SPECIAL ALLOCATION Following introduction of the matter by City Manager  
APPROVED FOR Graves, Council, on motion of Mayor Katnich,  
REMOVAL OF McCarty second, authorized a Special Allocation in  
TRANSFORMER AT the amount of \$26,500 for the removal of a 300  
THE "OLD" KVA transformer at the "Old" Tokay High School  
TOKAY HIGH Site.  
SITE

#### ORDINANCES

ORDINANCE 5  
AMENDING P-D 15  
TO PERMIT  
CONSTRUCTION OF  
RESTAURANTS AS  
WELL AS OFFICES  
IN THE  
OFFICE-PROFESSION-  
AL AREA AT  
S/W CORNER OF  
W. KETTLEMAN AND  
S. FAIRMONT AND  
S/E CORNER OF  
S. HAM AND  
W. KETTLEMAN

Ordinance No. 1214 entitled, "An Ordinance Amend-  
ing the Official District Map of the City of  
Lodi and thereby Amending Planned Development  
District No. 15 (P-D 15) to Permit Construction  
of Restaurants as well as Offices in the Office-  
Professional Area at the Southwest Corner of West  
Kettleman Lane and South Fairmont Avenue and the  
Southeast Corner of South Ham Lane and West Kettle-  
man Lane with Certain Conditions" having been  
introduced at a regular meeting of the City  
Council held October 1, 1980 was brought up for  
passage on motion of Mayor Pro Tempore McCarty,  
Murphy second. Second reading was omitted after  
reading by title, and the ordinance was then  
passed, adopted, and ordered to print by the follow-  
ing vote:

ORD. NO. 1214  
ADOPTED

AYES: Councilmen - Hughes, McCarty, Murphy,  
Pinkerton, and Katnich

NOES: Councilmen - None

ABSENT: Councilmen - None

#### ADJOURNMENT

There being no further business to come before  
the Council, Mayor Katnich adjourned the meeting  
at approximately 11:00 p.m.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
CITY CLERK